

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

Applicants: Mitsuaki Oshima et al. : Art Unit: 2134  
Serial No.: 09/588,364 : Examiner: P. E. Callahan  
Filed: November 17, 1995 :  
For: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK :  
CO

COPY

## **COMMUNICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

SIR:

The undersigned surrendered to the Patent Office on November 22, 2002, an original Letters Patent No. 5,761,301. The original patent was given to Landon and Stark Associates who delivered it to Technology Center 2100.

Proof that the original patent was received in Technology Center 2100 on November 22, 2002 is shown in the attached copy of a postcard.

To the best knowledge of the undersigned, the original patent was delivered to the Technology Center 2100 on November 22, 2002. The Patent Office cannot find this original patent and the undersigned, therefore, believes that the original patent is now lost.

Respectfully Submitted,

RätnerPrestia

~~Alfan Ratner, Reg. No. 19,717  
Jack J. Jankovitz, Reg. No. 42,690  
Attorneys for Applicants~~

333/fp  
Dated: December 20, 2002

Enclosure: Copy of postcard

Suite 301  
One Westlakes, Berwyn  
P.O. Box 980  
Valley Forge, PA 19482-0980  
(610) 407-0700

The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being hand delivered to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

December 20, 2002

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Date: December 20 2002

Assistant Commissioner for Patents:  
Please acknowledge receipt of the document(s) described below by imprinting  
the Patent and Trademark Office "date-stamp" hereon and returning this card to  
the addressee indicated on the reverse side.

FILE NO. MAT/MTS 520 US / FEE DUE? NO or YES: \$ -0 -

NAME: R. Oshima et al. Received

IDS and PTO Form 1449 (        pp.) (Supplemental: YES or NO) Received  
 Copy of        reference(s)  Copy of Search Report DEC 20 2002  
 Status Request  Issued Claims (        pp.) & Drawn  
 Claim To Right of Priority  Preliminary Amendment  
 Response to Restriction Requirement  Amendment (        pp.)  
 Response to Missing Parts  Copy of Formalities Letter Technology Center 2100  
 Form 1390  Certificate of Express Mailing  RCE Transmittal  
 Declaration/POA (        pp.)  Priority Document(s) (CERTIFIED)  
 Assignment & Form 1595 (        pp.)  Petition for Ext. of Time (        mo.)  
 Response to OA (        pp.)  Fee Transmittal  
 Petition to Make Special / For Revival  Issue Fee and Publication Fee  
 Submission of Formal Drawings  Sheets of Drawings (Formal)  
 Certificate of Correction  Form 1050 (Duplicate)  -0- Check(s)

Communication 09/588,364  
disclosures USSN:

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: M. Oshima et al.

: Art Unit: 2132

Serial No.: 09/588,364

: Examiner: S. Kabakoff

Filed: June 2, 2000

FOR: MARK FORMING APPARATUS,  
METHOD OF FORMING LASER MARK ON  
OPTICAL DISK, REPRODUCING  
APPARATUS, OPTICAL DISK AND  
METHOD OF PRODUCING OPTICAL DISK

CERTIFICATE UNDER 37 CFR 3.73 (b)

Assistant Commissioner for Patents  
Washington, D.C. 20231

SIR:

Matsushita Electric Industrial Co., Ltd., a Japanese Corporation certifies that it is the assignee of the entire right, title and interest in U.S. Patent No. 5,761,301, which issued from application number 08/560,015, filed on November 17, 1995 by virtue of an assignment from the inventors. The assignment was recorded in the Patent and Trademark Office at Reel 7884, Frame 0122, for which a copy thereof is attached.

The undersigned has reviewed all the documents in the chain of title from patent application 08/560,015 to U. S. Patent No. 5,761,301 and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

CCPY

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : October 1, 2001

Name : H. Kitagawa

**Title** : General Manager IP Development Center  
: Authorized Signing Officer

Signature : \_\_\_\_\_

CCOPY

PTO/SB/31 (12-97)

Approved for use through 9/30/00. OMB 0651-0033

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

SUBSTITUTE REISSUE APPLICATION DECLARATION BY THE INVENTOR		Docket Number (Optional) MTS-520US1
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As a below named inventor, I hereby declare that  
 My residence, post office address and citizenship are stated below next to my name.  
 I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first  
 and joint inventor (if plural names are listed below) of the subject matter which is described and claimed  
 in patent number 5,761,301, granted June 2, 1998, and for which a  
 reissue patent is sought on the invention entitled MARK FORMING APPARATUS, METHOD OF FORMING LASER  
MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK  
 the specification of which

is attached hereto.

was filed on June 2, 2000 as reissue application number 09 / 588,364  
 and was amended on \_\_\_\_\_  
 (If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims,  
 as amended by any amendment referred to above.  
 I acknowledge the duty to disclose information which is material to patentability as defined in  
 37 CFR 1.56.

I verify believe the original patent to be wholly or partly inoperative or invalid, for the reasons described  
 below. (Check all boxes that apply.)

by reason of a defective specification or drawing.  
 by reason of the patentee claiming more or less than he had the right to claim in the patent  
 by reason of other errors.

At least one error upon which reissue is based is described as follows:

See Attachment:

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.6 hours to complete. Time will vary depending upon the needs of the individual  
 case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer,  
 Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:  
 Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/51 (12-07)

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## (REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)  
MTS-520US1

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Name(s)

Registration Number

Allan Ratner

19,717

Jacques L. Etkowicz

41,738

Correspondence Address: Direct all communications about the application to:

 Customer Number
Place Customer Number here  
Code Label here 23122

PATENT TRADEMARK OFFICE

OR

Type Customer Number here

<input checked="" type="checkbox"/> Firm or Individual Name	Ratner & Prestia		
Address	P.O. Box 980		
Address			
City	Valley Forge	State	PA
County			
Telephone	610-407-0700	Fax	610-407-0701

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Mitsuaki Oshima

Inventor's signature

Residence Kyoto, Japan

Date

November 12, 2002

Post Office Address 115-3, Minamitakumi-cho, Katsura,  
Nishikyo-ku, Kyoto-shi, Kyoto 615, Japan

Citizenship

Japanese

Full name of second joint inventor (given name, family name)

Yoshiho Gotoh

Inventor's signature

Date

November 13, 2002

Residence

Osaka, Japan

Citizenship

Japanese

Post Office Address

Room 201, 9-17, Higashinkahama 4-chome, Jyoto-ku, Osaka-shi, Osaka 536, Japan

Full name of third joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Post Office Address

 Additional joint inventors are named on separately numbered sheets attached hereto.

CCPY

Attachment to PTO/SB/51 (12-97)  
Reissue Application Declaration by the Inventor

At least one error upon which reissue is based is described as follows:

During the prosecution of the application that issued as the above patent, the inventors did not recognize that the features disclosed in the patent at column 12, lines 30-36 were appropriate to claim. As such, the inventor's did not claim all that they had a right to claim. This error was made without deceptive intent. Specifically, the inventors did not claim any one or more of the features of the reflective layer being trimmed by a laser to form a barcode-like trimming pattern or at least one marking.

More specifically, the inventors did not claim any one of the features of trimming the reflective layer of an optical disk to form a barcode pattern, where the barcode pattern is formed on a track of the disk. In addition, the inventors did not claim any one of the features of trimming the reflective film of an optical disk to form a marking by a laser, where the marking is formed on a track of the disk. These errors were made without deceptive intent.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which the priority date is claimed:

Prior Foreign Application(s)

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>
6-283415	Japan	17/November/1994
7-016153	Japan	02/February/1995
7-261247	Japan	09/October/1995